



Docket No.: 19603/1552 (CRF D-2052B)

GAU1638

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Pang et al.  
Serial No. : 09/025,635  
Cnfrm. No. : 9815  
Filed : February 18, 1998  
For : DNA CONSTRUCT TO CONFER  
MULTIPLE TRAITS ON PLANTS

)  
Examiner:  
O. Zaghmout  
)  
Art Unit:  
1638  
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AUG 17 2001

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Box: Non-Fee Amendment**

Sir:

Transmitted herewith is an Amendment (3 pages) and Appendix A (1 page) in the above-identified application. Also enclosed are:

- [ ] A Request for \_\_\_\_ -Month Extension of Time.  
[ ] Applicant claims small entity status. (See 37 CFR 1.27.)  
[X] A self-addressed, prepaid postcard for acknowledging receipt.  
[X] No additional fee is required.  
[ ] The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	a) SMALL ENTITY		b) LARGE ENTITY	
					RATE	ADD'L FEE		
TOTAL	94	MINUS	94	+ 0 x	a) \$ 9= b) \$18		\$ 0	
INDEP	2	MINUS	3	+ 0 x	a) \$40= b) \$80		\$ 0	
[ ] FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						See fee Schedule	\$ 0	
[ ] Extension of Time Fee (____ Months)						TOTAL	\$ 0	

- [ ] A check for \$\_\_\_\_\_ is enclosed to cover the above fees.
- [ ] Please charge my Deposit Account No. 14-1138 in the amount of \$\_\_\_\_\_  
**A duplicate copy of this sheet is enclosed.**
- The Commissioner is hereby authorized to charge any additional fees or credit  
any overpayment to Deposit Account No. **14-1138**.  
**A duplicate copy of this sheet is enclosed.**

Date: August 10, 2001

Michael L. Goldman

Michael L. Goldman  
Registration No. 30,727

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**Certificate of Mailing - 37 CFR 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on the date below.

8/13/01 | Jo Ann Whalen  
Date Jo Ann Whalen



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Suppl. Amendt  
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AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Box: Non-Fee Amendment**

Dear Sir:

Please amend the above application as follows:

In the Claims:

Please amend claims 19, 50, 62, and 74 to read as follows:

*B1 JKCS >* 19. (Amended) A DNA construct according to claim 1, wherein one of the trait DNA molecules is long enough to impart the trait.

*B2 JKCS 12 >* 50. (Amended) A method according to claim 48, wherein said plant viral DNA molecule is from a virus selected from the group consisting of tomato spotted wilt virus, impatiens necrotic spot virus, groundnut ringspot virus, potato virus Y, potato virus X, tobacco mosaic virus, turnip mosaic virus, tobacco etch virus, a DNA molecule not encoding a protein, tomato mottle virus, tomato yellow leaf curl virus, and combinations thereof.

*B3 JKCS 15 >* 62. (Amended) A transgenic plant seed according to claim 60, wherein said viral cDNA molecule is from a virus selected from the group consisting of tomato